

Mr. Speaker, I remember that on November 16, 1967, on the occasion of my speech on capital punishment, I criticized the abolitionists for their lack of concern for the victims of those criminals and we know what followed. We are now paying compensation to the victim's dependents. Unfortunately this does not bring the victim back to life but at least his family is able to survive. Besides, this is the only improvement since December 1967.

I also had another consolation when I was informed that a new program will be implemented in penal institutions to hire correctional agents with a role of contact and discussions with the inmates. They will no longer be simple jail wardens sometimes arrogant and rough not to say sadistic. Formerly, many of them had to be arrogant and rough with the inmates even though, deep down, they disapproved strongly of this attitude. The old rehabilitation philosophy and the manner in which it was implemented by the authorities confined the correctional agents as well as the inmates in an inhuman prison. Today we want the agent to be able to make more use of his human qualities so as to render progressively more responsible the individuals whom life has deprived of their sense of responsibilities toward themselves and toward others.

The Solicitor General (Mr. Allmand) may rely on my full support as well as on the support of all people imbued with civic and humanitarian spirit. An inmate is not an animal but a human being such as you and me who, it is true, has made a mistake but has been punished for it by losing his freedom, and is in jail for a certain number of years. Losing one's freedom is already quite hard, but how can we hope to rehabilitate the inmate if he is hunted down as an animal, treated as a slave and scoffed at by society. He will revolt against that society at the very first opportunity. Our correctional agents would be happy and proud to participate in the new method instead of being the executioners of the old.

Mr. Speaker, I am not asking that criminals be given the Canada Medal for services rendered but, as I have said before, if we had tried something like that 20 or 25 years ago, I am sure we would not be squabbling today about retaining or abolishing capital punishment.

To my mind, our penal system is at fault, at least partially. However, we must not wait to see if this new starting point will lead us where we want to go; unfortunately, I still do not see how we can help the hardened criminal. On the other hand, I feel we can do something for the young and the adults who are sent for the first time to a penitentiary.

In short, having expressed my opinions, I suggest first of all that our penal system be humanized, along the lines of the existing program. Then, instead of asking that abolition of the death penalty be extended for another five years, I would ask that it be reinstated for the same length of time. It would then apply in cases of premeditated crimes, rape followed by murder, kidnapping followed by murder, armed theft followed by murder as well as hijacking.

**Mr. Jean-Marie Boisvert (Drummond):** Mr. Speaker, the bill before the House compels many hon. members to ask themselves whether, in the name of what I might call a

### *Capital Punishment*

pseudo-advanced civilization, they should have capital punishment abolished or make themselves the spokesmen for the people they are supposed to represent.

I for one prefer to make myself the spokesman for the voters of my constituency; most of them consider that this is mainly a law for the protection of murderers and hired killers.

Many arguments have been put forward, including that there are fewer murders in countries where capital punishment was abolished. As far as I am concerned, I consider that we shall not have crime curtailed by setting the offenders free. If one compares this problem to that of road traffic, it can be said for sure that closing the roads to traffic will not enable us to prevent the escape of offenders.

I believe that for the protection of our people, the wisest solution would be to maintain capital punishment and to make the evidence act stricter so that when an accused is sentenced to death the evidence be complete enough to make sure that no error is being made. Otherwise, the same punishment would be applied to armed robbery and murder.

There are two conflicting theories on this matter: one, which might be called "intellectualistic", is that of advanced intellectuals, those who believe that they always speak on behalf of the people, whether they are called psychologists, sociologists or otherwise. Often, frustrated criminal lawyers who have lost cases would like to have the cause of such frustration removed. Moreover, the underworld is against capital punishment, which is understandable, because it interferes with its activities. People who indulge in subversive activities and would like to avoid the penalties they advocate, are called revolutionaries nowadays.

Even if there are few of them in Canada, shyackers would rather have capital punishment abolished, for it would cramp their style if they thought of what was waiting for them in case of failure.

As for anarchists, who are always against any government legislation, they will probably support this one because their main purpose is to defeat the government.

The other argument, which might be called "realistic", is the one supported by the victims, by those who suffer from murders, namely the wives or close relatives of murdered men who have sometimes to live in poverty and fear as a result of these murders.

Among those who share this consensus, there are some who are exposed to this eventuality in the course of their work. They might be considered as potential victims. Those people are certainly in favour of retaining capital punishment.

According to surveys made in several constituencies, from 80 to 90 per cent of the people are asking for retention of capital punishment because they are afraid for their own security if it is abolished.

Also included are all those citizens respecting law and order, those with a clear conscience who are going about their own little business earning their own living, not that of others, and who are sometimes called the silent majority.